

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA                   §  
   §  
VS.   §     ACTION NO. 4:18-CR-153-Y  
   §  
KYLE EDWARD D'AQUILLA (1)               §

AMENDED ORDER GRANTING SECOND MOTION TO CONTINUE TRIAL

Pending before the Court is Defendant's Second Unopposed Motion to Continue Trial (doc. 22). The certificate of conference to the motion indicates that the government does not oppose the requested continuance. After review of the motion, the Court concludes, under 18 U.S.C. § 3161(h) (7) (B) (iv), that a failure to grant the requested continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. As a result, the Court further concludes, under 18 U.S.C. § 3161(h) (7) (A), that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, Defendant's Second Unopposed Motion to Continue Trial is GRANTED. The trial of this cause is CONTINUED until **1:30 p.m.** on **Tuesday, January 22, 2019**. The pretrial conference is CONTINUED until **3:00 p.m.** on **Thursday, January 17**.

It is further ORDERED that the scheduling order previously issued in this cause is hereby MODIFIED as follows:

- (1) the deadline for filing witness and exhibit lists is EXTENDED until **January 15**; and

(2) the deadline for exchanging exhibit notebooks is EXTENDED until **January 17**.

SIGNED October 16, 2018.

  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE